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PATENT

Docket No. 389301

JC549 U.S. PRO
09/116537
07/16/98

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor: Greg Samaras

For: Decoy With Moving Body Parts

1. Type of Application

This new application is for a(n):

Original
 Design
 Plant

 Divisional
 Continuation
 Continuation-in-part (CIP)

2. Benefit of Prior U.S. Application(s) (35 USC 120)

The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are added pages for new application transmittal where benefit of prior U.S. application(s) claimed.

3. Papers Enclosed Which Are Required for Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

13 Pages of specification and claim
 6 Pages of claims
 1 Pages of Abstract
 4 Sheets of drawing
 formal
 informal

4. Additional papers enclosed

Preliminary Amendment
 Information Disclosure Statement
 Form PTO-1449

- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing"
- Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- Special Comments
- Other

5. Declaration or Oath

Enclosed

executed by

inventor(s).

legal representative of inventor(s). 37 CFR

1.42 or 1.43

joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

Not Enclosed.

6. Inventorship Statement

The inventorship for all the claims in this application are:

The same

or

Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

is submitted.

will be submitted.

7. Language

English

non-English

the attached translation is a verified translation. 37 CFR 1.52(d).

8. Assignment

An assignment of the invention to _____

is attached.

will follow.

9. Certified Copy

Certified copy(ies) of application(s)

from which priority is claimed

 is(are) attached. A separate "Assignment cover letter accompanying new patent application" is also attached.

 will follow.

10. Fee Calculation (37 CFR 1.16)

A. X Regular application

CLAIMS AS FILED					
<u>Number filed</u>	<u>Number Extra</u>	<u>Rate</u>	<u>Basic Fee</u>		
Total 20 -20=	0	X	\$22.00		\$790.00
Claims 37 CFR 1.16(c)					
Independent 3 - 3=	0	X	\$82.00		\$ 0.00
Claims (37 CFR 1.16(b))					
Multiple dependent claim(s) if any (37 CFR 1.16(d))	0	X	\$270.00		\$ 0.00

 Amendment canceling extra claims enclosed.

 Amendment deleting multiple-dependencies enclosed.

 Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ _____

B. Design application

Filing Fee Calculation \$ _____

C. Plant application

Filing Fee Calculation \$ _____

11. Small Entity Statement(s)

X Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50%) \$ 395.00

12. Request for International-Type Search (37 CFR 1.104(d))

Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made At This Time

Not Enclosed

No filing fee is to be paid at this time.

Enclosed

<input checked="" type="checkbox"/> basic filing fee	\$ <u>395.00</u>
<input type="checkbox"/> recording assignment	\$ _____
<input type="checkbox"/> petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.	\$ _____
<input type="checkbox"/> for processing an application with a specification in a non-English language.	\$ _____
<input type="checkbox"/> processing and retention fee	\$ _____
<input type="checkbox"/> fee for international-type search report	\$ _____
Total enclosed fees	\$ <u>395.00</u>

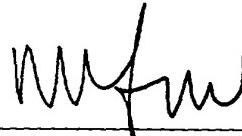
14. Method of Payment of Fees

Check in the amount of \$ 395.00.

15. Instructions as to Overpayment

Refund.

Reg. No. 33,884



Signature of Attorney

Tel. No. (201) 498-9800

Michael R. Friscia
FRISCIA & NUSSBAUM
One University Plaza
Hackensack, NJ 07601
Tel: (201) 498-9800
Fax: (201) 498-1980

Incorporation By Reference of Added Pages

Plus added pages for New Application Transmittal where benefit of prior U.S.
Application claimed

Number of pages added _____.

Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added _____.

X Statement Where No Further Pages Added

X This transmittal ends with this page.

SEARCHED
INDEXED
SERIALIZED
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16/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box: Patent Application
Assistant Commissioner of Patents
Washington, D.C. 20231

Re: Our file: 389301 Offic
Applicant: Greg Samaras Exam
Serial No.:
Filing Date:
Title: DECOY WITH MOVING BODY PART

Sir:

Enclosed for filing in the United States Patent and Trademark Office is the following:

1. Patent Application (20 pages)
 2. Drawings (4 pages)
 3. New Application Transmittal
 4. Small Entity - Independent Inventor
 5. Declaration and Power of Attorney
 6. Check No. 2191 for \$395.00
 7. Transmittal Sheet
 8. Postcard receipt

CONDITIONAL PETITION

If any extension of time is required for the submission of the above-identified items, Applicant requests that this be considered a petition therefor. Please charge any additional charges or any other charges relating to this matter to the deposit account of the writer, **Account No. 06-2143**. A duplicate copy of this letter is enclosed.

Respectfully submitted,


Michael R. Friscia
Registration No. 33,884
Friscia & Nussbaum
One University Plaza
Hackensack, NJ 07601
Tel: (201) 498-9800
Fax: (201) 498-1980

enc.

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, as "Express Mail Post Office to Addressee," Mailing Label No. EU3483968US to Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on 7/16/98.

EXTRANS.389

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: GREG SAMARAS

TITLE: DECOY WITH MOVING BODY PARTS

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SPECIFICATION

BACKGROUND OF THE INVENTION

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FIELD OF THE INVENTION

The present invention relates to decoys, specifically to animated decoys capable of realistic body part movement. More particularly, the present invention relates to decoys capable of realistic body part movement, wherein a body part is balanced such that a wind causes the body part to move in a realistic manner.

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RELATED ART

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Decoys are used by hunters to attract prey. A turkey decoy will attract other turkeys. Likewise, a deer decoy will attract deer. The more realistic a decoy, the more likely it is to attract its own species or a predator. Decoys are well known in the prior art. Previous attempts to create a realistic decoys include:

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Ninegar, U.S. Patent No.5,613,317, discloses wildfowl decoy that moves in response to wind.

The device has a body and a head and a flexible neck connecting the head with the body. The impact of wind on the head and neck causes the neck to move. The neck may be constructed of a spring covered with material.

Sroka, U.S. Patent No. 5,570,531, discloses a decoy having a body, a head and a neck with a flexible connector attaching the head to the body. The connector is bendable and the impact of wind on the head and neck causes the connector to flex. The connector can be used with different types of decoys and can be inserted in varied depths into the neck to achieve various effects.

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Johnson, U.S. Patent No. 5,515,637, discloses a decoy that is moveable by wind. The device includes a rod that extends into the body of the decoy and can be pushed into the ground to support the decoy. The bird is free to rotate about the rod when the wind blows. A helical spring may be formed within the rod or interconnected with the rod to re-store the decoy to a central position and to allow the decoy to tilt.

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Heiges, U.S. Patent No. 5,279,063, discloses a decoy with a flexible neck. The neck can be positioned to a desired location with respect to the body and maintained in such position. The neck may be maintained in a rigid position or it may be allowed to rock.

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Lanius, U.S. Patent No. 5,274,942, discloses a decoy having a pivotally mounted head interconnected with a weight inside the body. The weight normally biases the head to a raised position. A string may be interconnected with the weight to allow for the manual movement of the head and neck.

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Gazalski, U.S. Patent No. 5,231,780, discloses a decoy with rod-like wing supports rotatably mounted to the body which can be operated by pulling a string interconnected therewith. By pulling the string, the wings are moved in a realistic flapping manner. Additionally, the neck and head of the decoy are rotatable and interconnected with the pull string such that pulling the pull string actually is moving the head of the decoy.

Balmer, U.S. Patent No. 5,191,730, discloses a wing attachment for a bird decoy comprising a flexible material which can be attached to the body of the decoy with velcro. Wind blowing against the flexible material causes movement thereof simulating movement of the decoys wings.

Peterson, U.S. Patent No. 5,144,764, discloses a decoy with a pair of flexible wings and body. The wings fluctuate in response to air flow. A portion of the body comprises a wind sock to orient the decoy to face the wind.

Gagnon, Sr., U.S. Patent No. 4,893,428, discloses a decoy having a fin positioned at the tail to act as a rudder to maintain the decoy in position facing the wind.

Nelson, et al., U.S. Patent No. 4,651,457, discloses a weather vane-type rotatable decoy having a rigid body that can rotate about a rod that can be stuck into the ground at one end to support the decoy.

Caccamo, U.S. Patent No. 3,736,688, discloses a decoy with moveable, flexible arms which can pivot about a rod to face the wind and which can lock from side to side.

5 Carlson, U.S. Patent No. 3,435,550, discloses a decoy having a spring in each wing and may be actuated by a pull string and a swivel mounted in the tail.

Smith, U.S. Patent No. 325,617, discloses a the ornamental design of a deer tail decoy.

Davis, U.S. Patent No. 5,636,466, discloses an animal decoy apparatus.

10 Denny, et al., U.S. Patent No. 5,289,654, discloses an animated wildfowl decoy.

15 Payne, et al., U.S. Patent No. 4,852,288, discloses an articulated wild game decoy.

McKinney, U.S. Patent No. 4,965,953, discloses a remote controlled turkey decoy.

20 However, one major drawback with the prior art is that many of the decoys in the prior art require human operation to move a body part of the decoy, such as by the use of a string. This puts the hunter at a major disadvantage in hunting his or her prey. A hunter would better able to hunt his or her prey if he or she had both hands on his or her weapon and kept still, rather than using one hand to move the string or other device to animate the decoy.

Another drawback of the prior art is that even when the decoy does not require human operation to move its head, tail or other body part, movement is usually limited to only up and down motions. This restriction to only vertical body part movement makes the decoy less effective because it does not simulate the natural movement of the animal the decoy is supposed to imitate. The result
5 is prey is less likely to be attracted than by a realistic moving decoy.

Another way of making a decoy, as disclosed in the prior art, is to include electronic controls. However, such electronic controls are frowned upon hunters and are generally not allowed by hunting associations and/or state laws.

Additionally, decoys can be used to scare away undesired animals. A hawk, cat, owl, etc. are examples of such a decoys. Like decoys for attracting prey, the decoys for scaring away animals work better if they similar to the natural movement of real animals. Additionally, decoys can be used for ornaments in such places as gardens.

Accordingly, what is needed, and has not heretofore been developed, is a realistic decoy that simulates realistic movement of the animal, and which movement is caused by the naturally occurring wind at the location that the decoy is to be used.

OBJECTS AND SUMMARY OF THE INVENTION

Accordingly, it is a principle object of the present invention to provide a decoy in which the head and/or tail of the decoy is able to move both horizontally and vertically without human intervention, but rather from just a slight wind.

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It is another object of the present invention to provide a decoy in which the moving body part is balanced so the body part moves naturally.

10 It is an additional object of the present invention to provide a decoy wherein a body part is balanced for movement by a counterweight attached to the body part.

15 It is even a further object of the present invention wherein a counterweight is interconnected with a moving body part by an arm.

20 It is even a further object of the present invention to position a counterweight for balancing a moving body part, in the body housing of the decoy.

It is another object of the present invention to provide a decoy with moving body part wherein the body part is capable of movement in vertical and horizontal directions.

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It is even another object of the present invention to provide a decoy wherein a hook extends from the body housing, and the head and neck of the decoy has a loop extending therefrom, to hang the body and neck from the housing.

5 It is another object of the present invention to be able to move more than one body part simultaneously, such as a head and a tail of a decoy.

10 It is yet another object of the present invention to have support means to support the decoy in a desired location and also to provide for additional movement of the decoy. Specifically, the support means could allow the decoy to move in a plurality of directions.

15 It is still a further object of the present invention to provide a wide variety of animated realistic looking decoys such as turkeys, deers, hawks, owls, cats, foxes, and wolves (any animal that is needed to be attracted, lured, hunted or scared away).

20 Broadly stated, the decoy of the present invention comprises a body housing having a front and a rear end, a neck interconnectable with the front end of the body housing, and a head interconnected with the neck. A hook is interconnected with the body housing and a corresponding loop is formed on the neck. The loop can be engaged with the hook to hang the neck and head from the body. A counterweight extends from the neck in the opposite direction of the head to within the body housing to counterbalance the head and neck. The head and neck are free to move up and down and side to side, such movement being caused by naturally occurring wind. A tail can be similarly attached to the body housing for movement by wind.

BRIEF DESCRIPTION OF THE DRAWINGS

Other important objects and features of the invention will be apparent from the following

Detailed Description of the Invention taken in connection with the accompanying drawings in which:

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FIG. 1 is a side schematic view of a decoy of the present invention.

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FIG. 2 is a side schematic view of another embodiment of the decoy of **FIG. 1**.

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FIGS. 4A and 4B are perspective views of other embodiments of the decoy of **FIG. 3**.

DETAILED DESCRIPTION OF THE INVENTION

Referring to FIG. 1, a decoy is generally indicated at 10. The decoy shown is a turkey decoy. However, this invention applies to any other decoy such as a deer, owl, fox, wolf decoy, etc.

The decoy 10 includes a body housing 20 and a head assembly 50. The body housing 20 is hollow on the interior and is shaped and decorated with feathers on the exterior to resemble a turkey from the outside. The head assembly 50 includes a neck 52 and a head 53. The body housing 20 includes a throat area 22 at a front end 23 and a tail 26 at a rear end 27 of the body housing 20. The head assembly 50 is connected to the body housing 20 preferably by a hook and loop assembly 36 as illustrated in FIG. 1. This hook and loop assembly 36 consists of a hook 24 located on an upper portion of the throat area 22 of the body housing 20 and a support loop 54 extending from an upper side of the neck 52. In use, the support loop 54 is positioned on the hook 24 to hang the head assembly 50 from the body housing 20. The head assembly 50 can be attached to the body housing 20 in a feeding position with the head extending toward the ground, or in an upright position with the head extending outward and upward. A portion of the neck 52 extends into the body housing 20 through the throat area 22 of the body housing 20. Importantly, the hook and loop assembly 36 allows for freedom of movement of the head assembly 50 with respect to the body housing 20. Thus, the head assembly 50 can move vertically and horizontally with respect to the body housing 20. Attachment of the head assembly 50 to the body housing 20 in any other way which provides similar freedom of movement is also considered within the scope of the present invention.

A counterweight 58 is provided within the body housing 20. The counterweight 58 is connected to the neck 52 of the turkey decoy 10 by an arm 56. The counterweight 58 is sized and positioned to balance the head assembly 50 on the body housing 20 and to allow for movement of the head assembly 50 with respect to the body housing 20 to simulate movement of a body part of an animal.

FIG. 1 also illustrates a support stake 40 for supporting the decoy 10. The support stake 40 has a support spring 42 attached to a upper end of the support stake 40. The upper end of the support stake 40 extends through a torso aperture 30 in the body housing 20. The support stake 40 is connected to a seat 32 which is attached to an upper part of the body housing 20 within the body housing 20. The stake 40 may be interconnected with seat 32 by the support spring 42. The bottom end of the support stake 40 is pointed and can be pushed into the ground at a desired location to support the decoy 10 at such location. The support spring 42 allows for additional movement of the decoy 10 caused by wind. Other support means as are known in the art may also be used, and can be connected to the body housing 20.

In use, external stimuli such as a slight breeze causes the head assembly 50 of the turkey decoy 10 in **FIG. 1** to move up and down and side to side as permitted by the hook and loop assembly 36. The counterweight 58 balances the neck 52 in a neutral position allowing the natural movement of head assembly 50 to continue once movement has been initiated, thereby attracting animals, in this case turkeys. It is preferred that the head assembly 50 be made of light weight material so that only minimal weight will be required to balance the head assembly 50 in a neutral

position. As such, even the slightest breeze of wind will cause the head, or other movable body part, to move. However, different head assemblies with varying weight may be used to account for the specific weather conditions.

5 The present invention also provides for the simulation of moving feathers. In **FIG. 1**, the feathers on the torso **28** may be made to “strut” or stand up preferably through the use of sheet plastic, which can be blown up by wind. This adds a more realistic appearance to the decoy **10** thereby being more attractive to turkeys.

10 Another type of attachment means for connecting the head assembly **50** of the decoy **10** to the body housing **20** is a pivot assembly **60** to pivotally connect the head assembly **50** to the body housing **20** as shown in **FIG. 2**. The pivot assembly **60** comprises a pivot pin **64** which extends through corresponding apertures in opposite sides of the throat area **22** of the body housing **20** and the neck **52**. This pivot assembly **60** allows for the head assembly **50** to pivot with respect to the body housing **20** to simulate movement of a decoy’s body part. In use, the decoy **10** illustrated in
15 **FIG. 2**, like the decoy **10** in **FIG. 1**, has its movement initiated by external stimuli such as wind.

20 Referring now to **FIG. 3**, another embodiment of a decoy according to the present invention is shown. Specifically, in **FIG. 3**, a deer decoy is generally indicated at **110**. In this embodiment, like reference numerals refer to like elements of the previous embodiments. The decoy **110** includes a body housing **120** and a head assembly **150**. The body housing **120** is hollow on the inside and is made to resemble a deer from the outside. The head assembly **150** includes a neck **152** and a head

153. The body housing 120 includes a throat area 122 at a front end 123 and a tail 126 at a rear end 127 of the body housing 120. The head assembly 150 of the decoy 110 is connected to the body housing 120 preferably by the hook and loop assembly 136 described above and illustrated in FIG.

1. The hook and loop assembly 136 comprises a hook 124 located on an upper portion of the throat area 122 of the body housing 120 and a support loop 154 located on an upper portion of the neck 152. As shown in FIG. 3, an additional support loop 254 may also be provided on the tail 126 of the decoy 110 and an additional hook 224 may also be provided on the rear end 127 of the body housing 110. As such, the tail 126 hangs on the body housing 120.

In use, the support loop 154 is positioned on the hook 124 to hang the head assembly 150 from the body housing 120. A portion of the neck 152 extends into the body housing 120. In addition, as shown in FIG. 3, the rear support loop 254 on the tail 126 is positioned on the rear hook 224 located on the rear end 127 of the body housing 120 of the decoy 110 to hang the tail 126 from the body housing 120. The hook and loop assembly 136, as shown in FIG. 3, allows the head assembly 150 and the tail 126 to move both vertically and horizontally with respect to the body housing 120. Attachment of the head assembly 150 and tail 126 to the body housing 120 in any other way which provides similar freedom of movement, such as by a pivot means, is also considered within the scope of the present invention.

A counterweight 158, as with the decoy 10 in FIGS. 1 and 2, is also provided within the body housing 120 of the deer decoy 110. The counterweight 158 is connected to the neck 152 by an arm 156 attached to the counterweight 158. A counterweight 258 may also be connected to the tail

126 of the deer decoy by an arm 256. The counterweight 158 or 258 balances the body part to which it is attached to on the body housing and allows for movement of the body part with respect to the body housing 120 to simulate movement of an animal's body part. Accordingly, a slight wind causes the head 150 and/or tail 126 to move with respect to the body housing 120.

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Referring now to FIGS. 4A and 4B, another embodiment of the decoy shown in FIG. 3 is shown. In this embodiment, the deer decoy generally indicated at 210, is provided with a body housing 220. A counterweight 358 is interconnected with the neck 252 or tail 226 to balance the body part on the body housing to which the body part is attached and which allows for movement of the body part with respect to the body housing to simulate movement of an animal's body part. A slight wind causes the head 250 and/or tail 226 to move with respect to the body housing 220. Importantly, the tail 226 and/or neck 252 can be attached to the body housing 220 by means of a hook and loop system and/or by means of a pivot system. As shown in FIG. 4A, it is preferable for the tail to move from side to side in a direction shown by arrow D about pivot point 357.

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Having thus described the invention in detail, it is to be understood that the foregoing description is not intended to limit the spirit and scope thereof. What is desired to be protected by Letters Patent is set forth in the appended claims.

CLAIMS

What is claimed is:

1. A decoy apparatus comprising:

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a body housing having a front end and a rear end;

10 a head assembly interconnected with the front end of the body housing, the head assembly comprising a head and a neck;

15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100 105 110 115 120 125 130 135 140 145 150 155 160 165 170 175 180 185 190 195 200 205 210 215 220 225 230 235 240 245 250 255 260 265 270 275 280 285 290 295 300 305 310 315 320 325 330 335 340 345 350 355 360 365 370 375 380 385 390 395 400 405 410 415 420 425 430 435 440 445 450 455 460 465 470 475 480 485 490 495 500 505 510 515 520 525 530 535 540 545 550 555 560 565 570 575 580 585 590 595 600 605 610 615 620 625 630 635 640 645 650 655 660 665 670 675 680 685 690 695 700 705 710 715 720 725 730 735 740 745 750 755 760 765 770 775 780 785 790 795 800 805 810 815 820 825 830 835 840 845 850 855 860 865 870 875 880 885 890 895 900 905 910 915 920 925 930 935 940 945 950 955 960 965 970 975 980 985 990 995 1000

connection means for connecting the head assembly to the body housing which allows for movement of the head by wind; and

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counterbalancing means connected to the neck for balancing the head assembly with respect to the body housing at the connection means.

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2. The apparatus of claim 1 wherein the front end of the body housing includes a throat area, and the connection means comprises a hook extending from an upper portion of the throat area and a loop located on an upper surface of the neck, the loop being positioned on the hook to hang the head assembly from the body housing.

3. The apparatus of claim 1 wherein the front end of the body housing includes a throat area and the connection means comprises a pivot pin extending through corresponding apertures in opposite sides of the throat area of the body housing and the neck, the pivot pin pivotally connecting the head assembly to the body housing.

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4. The apparatus of claim 2 wherein the counterbalancing means comprises a counterweight interconnected with the neck for balancing the head assembly in a neutral position.

5. The apparatus of claim 4 wherein the counterweight is connected to the neck by an arm.

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6. The apparatus of claim 5 wherein the counterweight is positioned within the body housing.

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7. The apparatus of claim 1 further comprising a support stake having an upper end and a lower end, the upper end of the support stake extending into the body housing through a torso aperture in the body housing.

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8. The support stake of claim 7 further comprising a spring attached to the upper end of the support stake against a seat attached to an upper portion of the body housing within the body housing to allow for the additional movement of the decoy in a plurality of directions.

9. The apparatus of claim 1 wherein a sheet of plastic is attached to the body housing which can be blown up by wind to simulate the strutting of feathers.

10. A decoy apparatus comprising:

a hollow body housing having a front and a rear end, the front end of the body housing having a throat area;

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a head assembly comprising a head and a neck interconnected with the front end of the body housing;

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first connecting means for connecting the head to the body housing with the neck extending partially into the body housing through the throat area;

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a first counterweight interconnected with the neck by a first arm attached to the neck, the first counterweight balancing the head assembly;

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second connecting means for connecting the tail to the body housing; and

a second counterweight interconnected with the tail by a second arm attached to the tail, the second counterweight positioned within the body, the second counterweight balancing the tail.

11. The apparatus of claim 11 wherein the first connecting means comprises a hook located on an upper portion of the throat area of the body housing and a loop connected to an upper side of the neck, the loop positioned on the hook to hang the head assembly from the body housing and allow for both horizontal and vertical movement of the head assembly with respect to the body housing.

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12. The apparatus of claim 11 wherein the second connecting means comprises a rear hook extending from the rear end of the body housing and a rear loop attached to the tail, the rear loop positioned on the rear hook to hang the tail from the body housing and allow for both horizontal and vertical movement of the tail with respect to the body housing.

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13. The apparatus of claim 10 wherein the first connecting means is a pivot assembly comprising a pivot pin extending through corresponding apertures in opposite sides of the throat area of the body housing and the neck, the pivot pin pivotally connecting the head assembly to the body housing and allowing for movement of the head assembly relative to the body housing from a slight breeze.

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14. The apparatus of claim 13 wherein the second connecting means is a pivot assembly comprising a second pivot pin extending through corresponding apertures in opposite sides of the rear end of the body housing and the tail, the second pivot pin pivotally connecting the tail to the body housing and allowing for movement of the tail relative to the body housing even from a slight

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breeze.

15. A method for using an decoy to attract or scare away animals comprising the steps of:

forming a hollow decoy housing with an open front end;

5 attaching a hook to the housing above the open front end;

forming a head and neck assembly;

attaching a loop to the neck;

10 attaching a counterweight, by means of an arm, to the head and neck assembly to balance the head and neck assembly in a neutral position;

hanging the head and neck assembly from the housing by placing the loop on the hook;

15 placing the decoy at a desired location to attract animals; and

allowing the wind to move the head and neck assembly of the decoy.

20 16. The method of claim 15 further comprising the step of interconnecting the decoy with a support stake having a pointed edge for insertion into ground to position the decoy at a desired location.

17. The method of claim 16 wherein the decoy is a fowl and the method further comprises attaching a plastic sheet decorated to resemble feathers to the housing such that wind will blow up the feathers to create the effect of strutting.

5 18. The method of claim 15 wherein the decoy is an animal and the method further comprises attaching a rear hook to a rear end of the body housing, forming a tail, attaching a rear loop to the tail, and hanging the tail from the body housing by placing the loop on the hook.

10 19. The method of claim 18 further comprising the step of attaching a second counterweight to the tail by means of an arm.

15 20. The method of claim 16 further comprising the steps of attaching a spring to a upper portion of the support stake, attaching a seat to an upper part of the body housing within the body housing, and placing the upper part of the support stake inside the body housing through an aperture in a bottom portion of the body housing.

ABSTRACT

The decoy of the present invention includes a body housing having a front and a rear end, a neck interconnectable with the front end of the body housing, and a head interconnected with the neck. A hook is interconnected with the body housing and a corresponding loop is formed on the neck. The loop can be engaged with the hook to hang the neck and head from the body. A counterweight extends from the neck in the opposite direction of the head to within the body housing to counterbalance the head and neck. The head and neck are free to move up and down and side to side, such movement being caused by naturally occurring wind.

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pat/0601301.389

FIG. 1

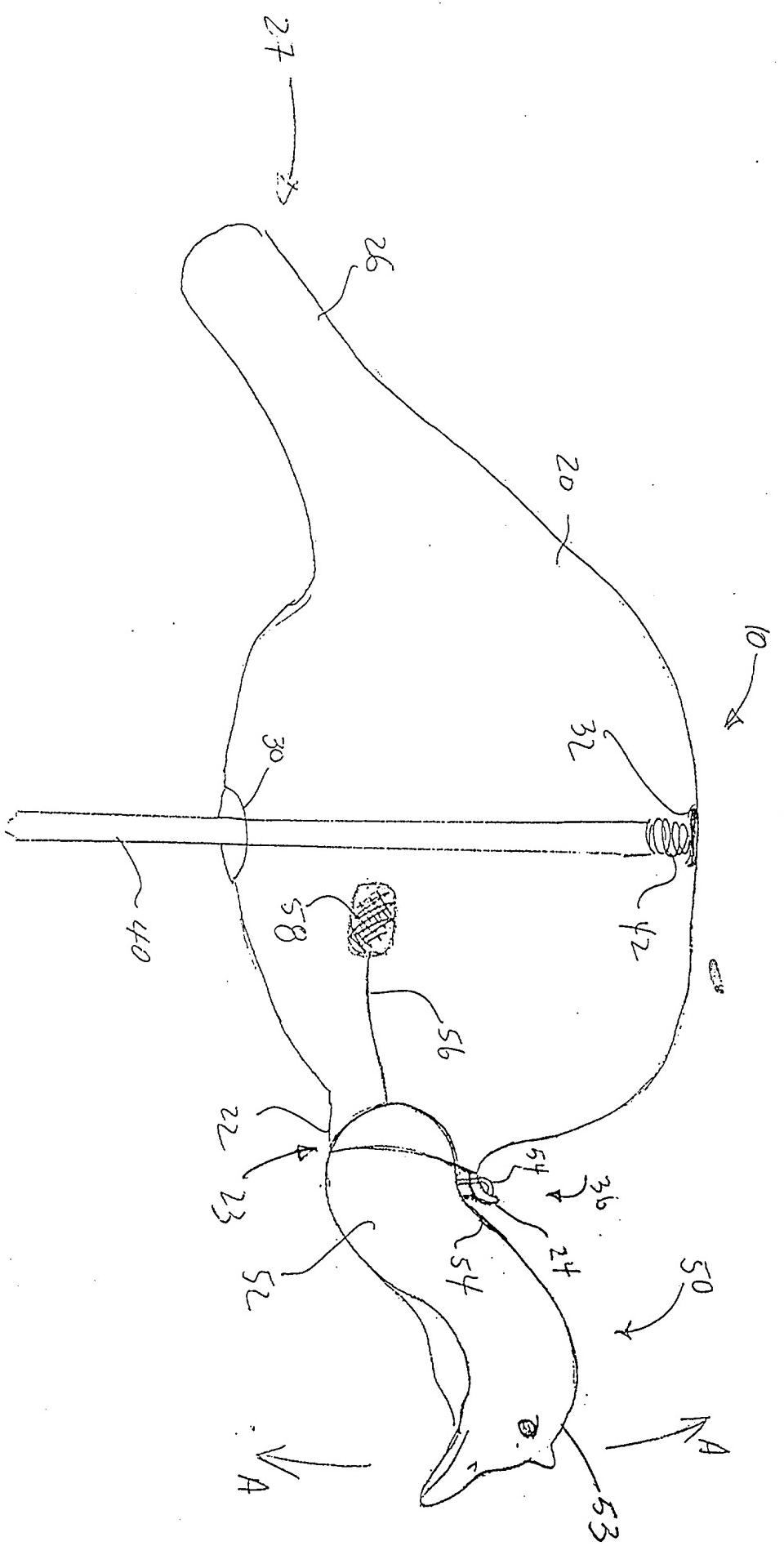


Fig. 2

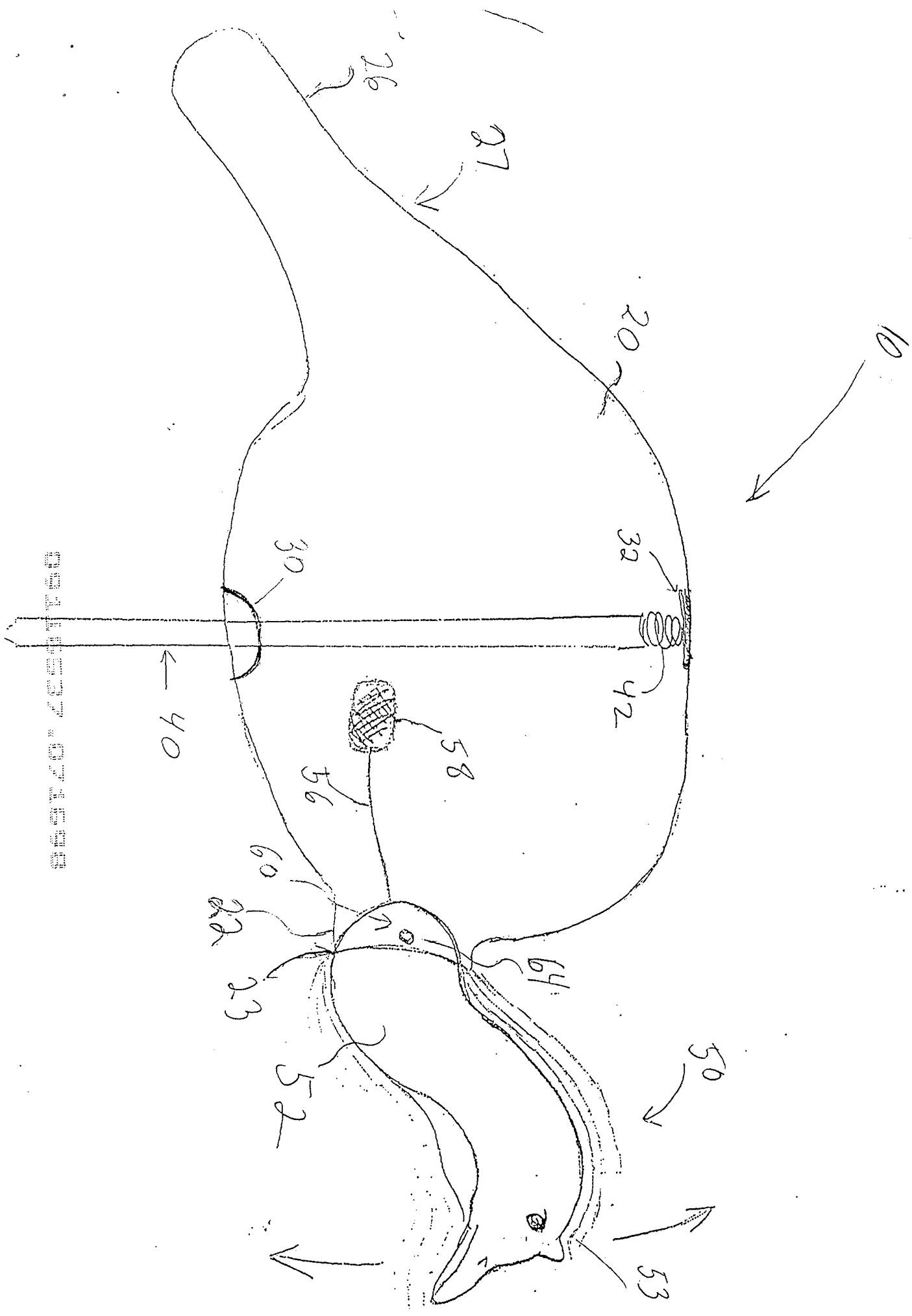
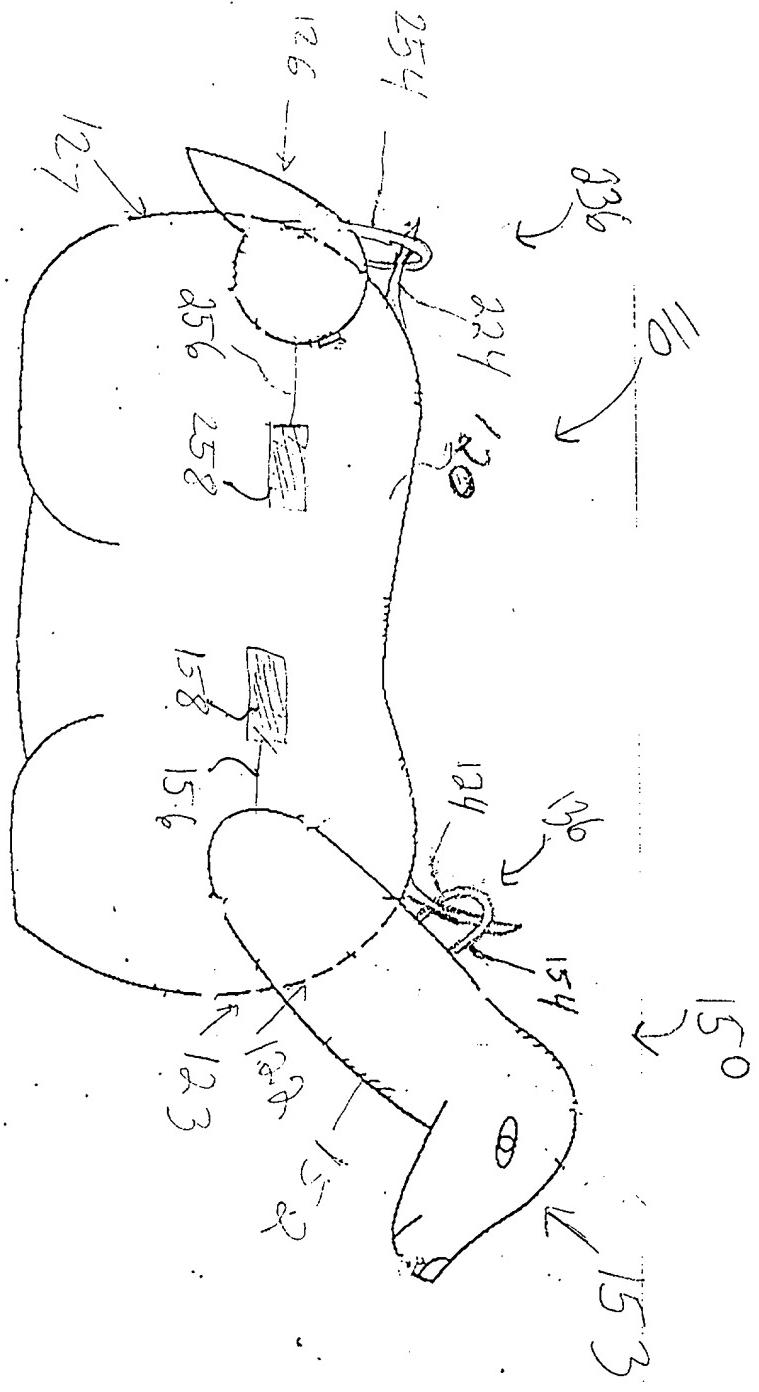
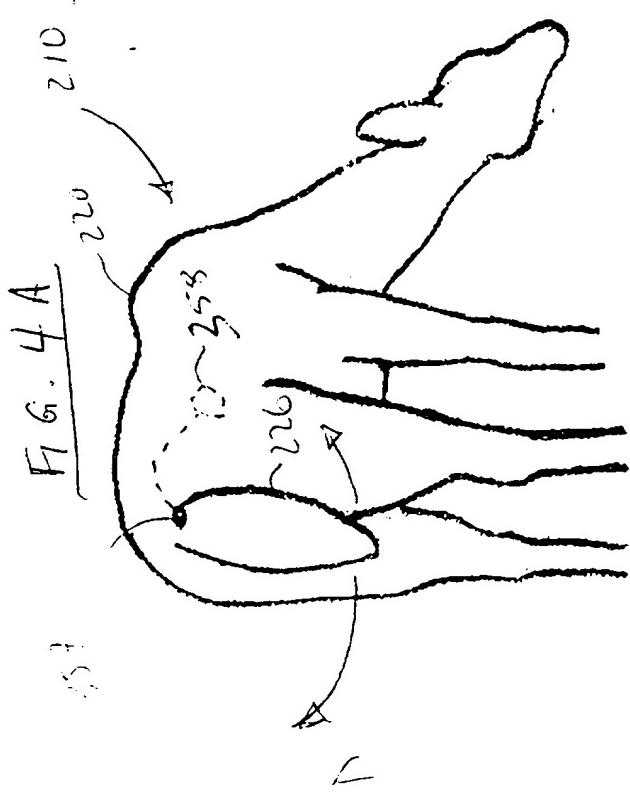
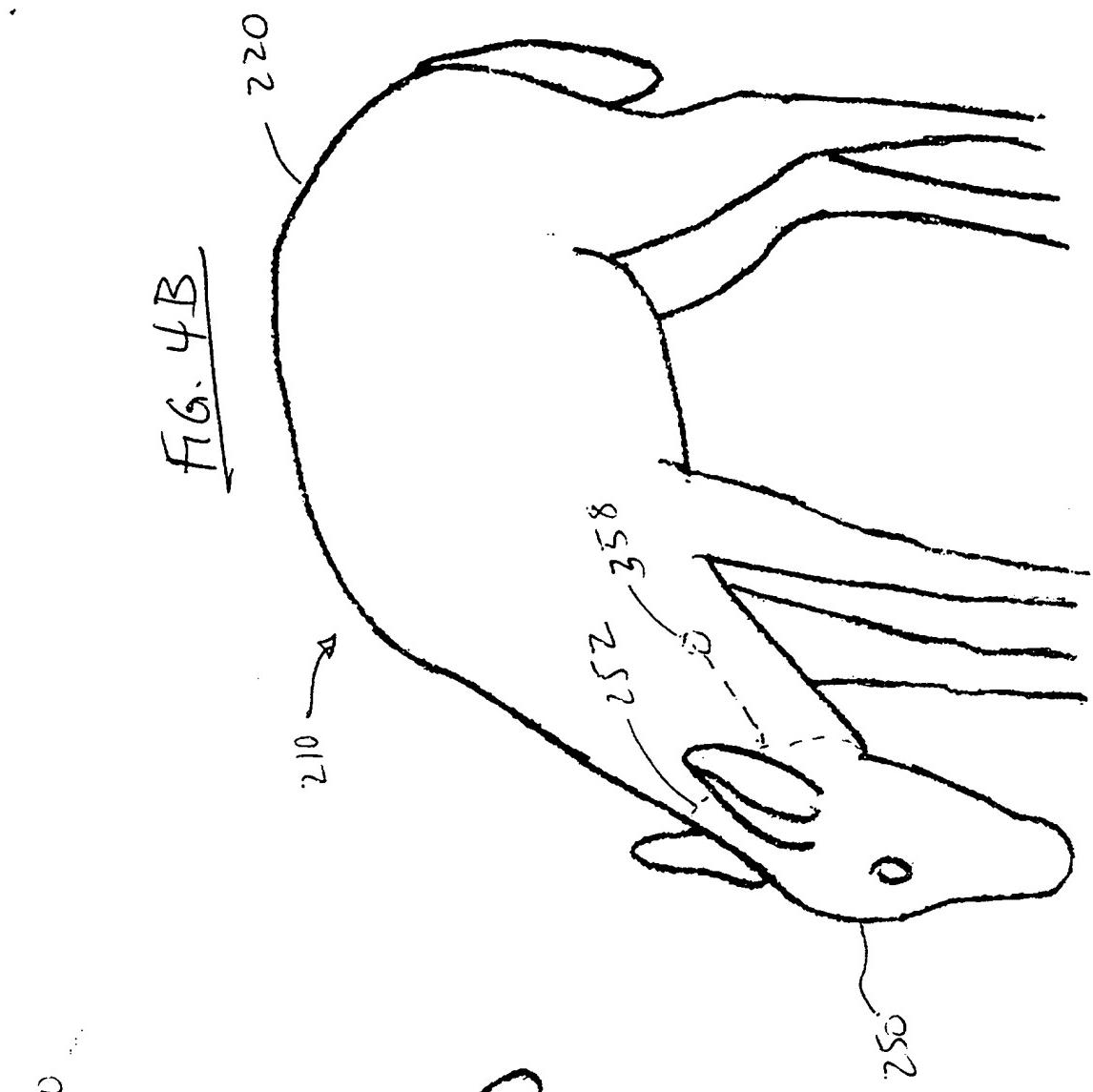


Fig. 3





DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the type:

original
 design
 supplemental

national stage of PCT

divisional
 continuation
 continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

DECOY WITH MOVING BODY PARTS

SPECIFICATION IDENTIFICATION

the specification of which is attached hereto.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent of inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

no such applications have been filed.
 such applications have been filed as follows.

PRIOR FOREIGN/PCT APPLICATIONS FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>DATE OF FILING</u>	<u>PRIORITY</u>

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

I hereby claim the benefit under Title 35, United States Code, 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a), and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>APPLICATION SERIAL NO.</u>	<u>FILING DATE</u>	<u>STATUS</u>

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Michael R. Friscia

Reg. No. 33,884

Send correspondence to:

Direct telephone calls to:

Michael R. Friscia
FRISCIA & NUSSBAUM
One University Plaza
Hackensack, New Jersey 07601

Michael R. Friscia
(201) 498-9800

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor:

Greg

First name

M.I.

Samaras

Last name



Inventor's signature

7-14-98

Date

Country of Citizenship US

Residence 35-24 209th Street, Bayside, New York 11361

Post Office Address 35-24 209th Street, Bayside, New York 11361

Full name of second joint inventor, if any:

First name

M.I.

Last name

Inventor's signature

Date

Country of Citizenship _____

Residence _____

Post Office Address _____

This declaration ends with this page.

f/dec301.389

Attorney's Docket No.: 389301

Applicant: Greg Samaras

For: DECOY WITH MOVING BODY PARTS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.0(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above-entitled invention described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization

persons, concerns or organizations listed below

Full name: _____

Address: _____

individual small business concern nonprofit organization

Full name: _____

Address: _____

individual small business concern nonprofit organization

Full name: _____

Address: _____

individual small business concern nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any changes in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Greg Samaras

Name of inventor

Gregory Samaras

Signature of inventor

Date: 7-14-98

f/sment301.389